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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/653,249

09/03/2003

Harumichi Oishi

Q77285

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08/01/2007

SUGHRUE-265550

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EXAMINER

LANGDON, EVAN H

ART UNIT

PAPER NUMBER

3654

MAIL DATE

DELIVERY MODE

08/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/653,249

Applicant(s)

OISHI ET AL.

Examiner

Evan H. Langdon

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4 and 9-15 is/are pending in the application.
- 4a) Of the above claim(s) 4,9 and 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/23/07</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 23 July 2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Reichardt (US 873,784) in view of Pinvidic (EP 565454).

Reichardt discloses a fishing reel comprising:

a reel body attachable to a fishing rod, the reel body having right 5 (Fig. 1) and left 1 side plates, and a plate 5 (Fig. 3) connected between the right and left plate to partially from an upper surface of the reel body and a fishing rod attachment portion;

a spool 3 rotatably supported between right and left side plates;

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a handle 27 mounted to one of the left and right side plates of the reel body for rotating the spool to wind a fishing line on the spool, a rotation axis of the handle being substantially parallel to rotation axis of the spool; and

an auxiliary operating member 24 for auxiliary winding the fishing line on the spool provided at a position in which the auxiliary operating member can be operated by a finger of an angler's hand holding the fishing rod to which the reel body is attached, wherein the auxiliary operating member is formed so that, when the handle is rotated to rotate the spool, the auxiliary operating member is not rotated in response to the rotation of the handle,

wherein a one-way clutch (lines 70-94) is interposed between a rotating member 14 where the rotating member is rotated in response to the rotation of the handle 27 and the auxiliary operating member 24,

wherein an operating portion of the auxiliary operating member to be operated by the finger is rotatably provided between the left and right side plates which constitute the reel body, and wherein the operating portion is formed in a lever shape 24, and

wherein the plate 5 is respectively positioned between the auxiliary operating member and a front-end of the reel body, and wherein the operating portion is projected upward from a surface of the plate.

Pinvidic teaches an auxiliary operating member 26, 96 (Fig. 6 and 7) provided on an opposite side of the fishing rod attachment portion with respect to the spool. It would have been obvious to one having ordinary skill in the art at the time the invention was made to locate the auxiliary operating member on an opposite side from the rod attachment portion to allow use of the reel by right-handed and left handed persons (Pinvidic, abstract), since it has been held that

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rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70.

Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Reichardt (US 873,784) in view of Faulkner (US 4,850,548).

Reichardt discloses a fishing reel comprising:

a reel body attachable to a fishing rod, the reel body having right 5 (Fig. 1) and left 1 side plates, and a plate 5 (Fig. 3) connected between the right and left plate to partially form an upper surface of the reel body and a fishing rod attachment portion;

a spool 3 rotatably supported between right and left side plates;

a handle 27 mounted to one of the left and right side plates of the reel body for rotating the spool to wind a fishing line on the spool, a rotation axis of the handle being substantially parallel to rotation axis of the spool; and

an auxiliary operating member 24 for auxiliary winding the fishing line on the spool provided at a position in which the auxiliary operating member can be operated by a finger of an angler's hand holding the fishing rod to which the reel body is attached, wherein the auxiliary operating member is formed so that, when the handle is rotated to rotate the spool, the auxiliary operating member is not rotated in response to the rotation of the handle,

wherein a one-way clutch (lines 70-94) is interposed between a rotating member 14 where the rotating member is rotated in response to the rotation of the handle 27 and the auxiliary operating member 24,

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wherein an operating portion of the auxiliary operating member to be operated by the finger is rotatably provided between the left and right side plates which constitute the reel body, and wherein the operating portion is formed in a lever shape²⁴, and

wherein the plate 5 is respectively positioned between the auxiliary operating member and a front-end of the reel body, and wherein the operating portion is projected upward from a surface of the plate.

Faulkner teaches fishing reel that has a one-way clutch the rotates in response to rotation of the auxiliary operating member where the one way clutch comprises a race surrounding a plurality of rollers held by a retainer (Fig. 4a-4d).

All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time the invention was made.

Response to Arguments

Applicant's arguments with respect to claims 1, 2 and 11 have been considered but are moot in view of the new ground(s) of rejection. The amendment to claims 1, the lever "is provided at an opposite side of the fishing rod attaching portion with respect to the spool" and the newly added claims 12-15 necessitated the new grounds of rejection.

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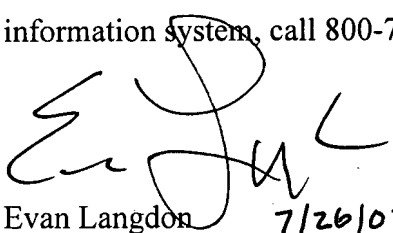
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H. Langdon whose telephone number is (571)272-6948. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Evan Langdon
Patent Examiner

7/26/07